

90-668: MAINE CHARTER SCHOOL COMMISSION

Chapter 3: PROCEDURES FOR CHARTER SCHOOL RENEWAL

SUMMARY: This rule sets forth the process by which the Maine Charter School Commission decides whether to renew the charter of a public charter school according to Title 20-A section 2411 of the Maine Revised Statutes, Charter Term and Renewal

SECTION 1: DEFINITIONS

1. “Commission” means the Maine Charter School Commission formed pursuant to Title 20-A of the Maine Revised Statutes Chapter 112.

SECTION 2. SCHOOL PERFORMANCE REPORT

No later than June 30th of a public charter school’s 4th year of operation under a 5-year contract, the Commission shall issue a performance report for that school which complies with Title 20-A, section 2411, subsection 3. The report shall include information regarding the charter school’s performance to date and provide notice of any weaknesses which might be detrimental to school renewal. The charter school must be given the opportunity to respond.

SECTION 3. RENEWAL APPLICATION

No later than September 30th of a public charter school’s 5th year, the governing board seeking renewal shall submit a renewal application to the Commission. A renewal application may not be submitted before the charter school has been issued the school performance report pursuant to Section 2.

SECTION 4. RENEWAL APPLICATION GUIDANCE

Renewal decisions will be based on merit and objective evidence of the school’s performance over the term of the charter contract in accordance with the Performance Framework developed by the Commission pursuant to Title 20-A, section 2409 and set forth in the charter contract. The Commission shall provide renewal application guidance at the time it issues the school performance report under section 2 of this rule. The guidance shall describe the application process and shall include or refer specifically to the criteria and standards that will guide the renewal decision.

SECTION 5. CRITERIA

Specific criteria to be used in the review include: academic performance, fiscal performance, governance, effective leadership, instructional quality, compliance with terms of charter contract and applicable laws and regulations, mission fulfillment with consideration also of parent and community support and significant positive or negative trends in performance, operations and/or governance. Data will be available to the charter school and the public.

According to 20-A, section 2411 subsection 3, paragraph B, applicants will (1) present additional evidence, beyond the data contained in the performance report, supporting its case for renewal, (2) describe improvements undertaken or planned for the school; and (3) detail the school’s plans for the next charter term.

SECTION 6. REVIEW PROCESS

Once an application for renewal is filed with the Commission in compliance with this rule, the Commission shall appoint a team to review the application and conduct a site visit. After the Commission receives the review team report, the Commission will hold a public hearing. The Commission must rule on the renewal application by resolution no later than 45 days after receipt of the application. Within 10 days of taking action on the application, the Commission shall report its action to the Commissioner of the Department of Education and shall provide a report to the charter school containing its action and reasons for the decision.

SECTION 7. COMMISSION DECISION

A decision to renew a charter school application must be made in accordance with Title 20-A, section 2411, subsection 6.

For the approval to renew an application a roll call vote with five(5) affirmative votes is required, except that if one or more seats on the Commission are vacant, a vote of two-thirds(2/3) of the current Commission membership is required. The Chair will call the roll alphabetically and will vote last. The Commission's vote to renew a charter will be held in a public session at an announced (posted) meeting time and place. The decision will be based on sufficient progress toward meeting performance expectations, meeting standards of fiscal management, and compliance with the charter contract and with applicable law.

Upon the decision to renew pursuant to Title 20-A, section 2411, subsection 2, a charter may be renewed for successive terms of 5 years, although the Commission may grant a renewal for a term not to exceed 15 years based on the performance, demonstrated capacities and particular circumstances of each public charter school. If a charter is renewed for more than 5 years, the Commission shall still issue a public charter school performance report every 5 years as called for by section 2. The Commission may grant renewal with specific conditions for necessary improvements to a public charter school.

Upon renewal a new contract with new performance expectations will be negotiated.

STATUTORY AUTHORITY: Title 20-A § 2405 sub-§ 8 ¶B

EFFECTIVE DATE:

June 23, 2014 – filing 2014-120